

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v)	1:05-CR-239-T
)	
JOSEPH L. KENNEDY)	

PRETRIAL CONFERENCE ORDER

Appearing at the initial pretrial conference on November 16, 2005, before the undersigned Magistrate Judge, were Jeffery C. Duffey, defense counsel, and Assistant United States Attorney Terry F. Moorner, government counsel. After due consideration of representations of counsel and other relevant matters, it is **ORDERED** as follows:

1. **Jury selection** is set for **December 5, 2005**. The trial of this case is set for the **trial term commencing on December 5, 2005**, before United States District Judge Myron H. Thompson and is expected to last two trial days.

2. There are no motions currently pending.

3. Proposed **voir dire questions** shall be filed on or before **November 28, 2005**. Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All **motions in limine** shall be filed on or before **November 28, 2005**. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. **Proposed jury instructions** shall be filed on or before **November 28, 2005**.

6. The last day on which the court will entertain a **plea pursuant to Rule 11(c)(1)(A) or (C)** plea is **November 28, 2005**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on December 5, 2005. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on December 5, 2005, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 16th day of November, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE